THE HONOUABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 1676 of 2006

Date:18-06-2007

Between:

P.Rami Reddy .. **PETITIONER**

AND

The Superintendent of Police, Medak and two others

..

RESPONDENTS

ORDER:

The petitioner seeks a writ of mandamus to declare the action of the respondents by calling the petitioner to the police station without there being any crime registered against him at the behest of the 3rd respondent, as illegal and arbitrary.

The case of the petitioner is that on a private complaint filed the 3rd respondent against M.Narayana Reddy, a resident of Jangarai village, a case in Crime No.73 of 2001 was registered by the second respondent-police for the offences under Sections 420, 342 and 504 I.P.C. and with regard to the said crime the second respondent-police called the petitioner and made him to sit in the police station without there being any case registered against him. It is stated that the petitioner has not at all involved in any case. Therefore, the action of the second respondent is illegal and arbitrary.

If the petitioner is an accused in the said crime, it is open for the police to take appropriate action against him. But, if the petitioner is not an accused in the said crime, the police cannot interfere with the personal life and liberty of the petitioner. However, without making any representation before the superior police officer, I am of the opinion that the allegation made by the petitioner against the second respondent cannot be believed to be true and correct.

Accordingly, the writ petition is dismissed. No costs.

V.ESWARAIAH, J.

Date:18.06.2007
ccm